| Item N | 0. | |
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| CITY OF WESTMINSTER | | | | |
|----------------------------|--|-----------------------------|--------------|--|
| PLANNING | Date | Classification | | |
| APPLICATIONS SUB COMMITTEE | 8 August 2017 | August 2017 For General Rel | | |
| Report of | Ward involved | | | |
| Director of Planning | | Knightsbridge And Belgravia | | |
| Subject of Report | 112 Eaton Square, London, SW1W 9AE | | | |
| Proposal | Demolition of rear extensions and erection of a new extension at the lower ground to the fourth floor levels, excavation of a basement to the rear of the main dwelling, replacement windows, and refurbishment of the front pavement vaults, and associated internal and external alterations in connection with the use of property as a single family dwelling house. | | | |
| Agent | Montagu Evans LLP | | | |
| On behalf of | West End Enterprises Ltd | | | |
| Registered Number | 17/03791/FULL and 17/03792/LBC | Date amended/ completed | 28 July 2017 | |
| Date Application Received | 3 May 2017 | | | |
| Historic Building Grade | II star | | | |
| Conservation Area | Belgravia | | | |

1. RECOMMENDATION

- 1. Grant conditional permission conditional listed building consent.
- 2. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

112 Eaton Square is a Grade II star listed, first-rate, mid-terraced, early nineteenth century townhouse located within the Belgravia Conservation Area.

Permission and listed building consent is sought for demolition of rear extensions and erection of a new extension at the lower ground to the fourth floor levels, excavation of a basement to the rear of the main dwelling, replacement windows, and refurbishment of the front pavement vaults, and associated internal and external alterations in connection with the use of property as a single family dwelling house.

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The key issues in this case are:

- the impact of the proposed development on the character and appearance of the listed building and the character and appearance of the Belgravia Conservation Area; and
- the impact on the amenity of neighbouring residents.

For the reasons set out in this report, the proposed development is considered to accord with relevant policies within the Unitary Development Plan adopted in January 2007 (the UDP) and Westminster's City Plan adopted in November 2016 (the City Plan). As such, it is recommended that planning permission and listed building consent are granted, subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



4. PHOTOGRAPHS



View from Eaton Square



View from Eccleston Mews

5. CONSULTATIONS

HISTORIC ENGLAND:

Authorised given to determine as seen fit.

CLLR ROBATHAN:

The resident directly behind is concerned about noise disturbance, could the committee consider any issues which might mitigate this.

BELGRAVIA RESIDENTS ASSOCIATION:

No response to date.

BELGRAVIA NEIGHBOURHOOD FORUM:

No response to date.

THE BELGRAVIA SOCIETY:

No response to date.

ENVIRONMENTAL HEALTH:

No objection subject to standard conditions.

HIGHWAYS PLANNING:

No objection.

BUILDING CONTROL:

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 59

Total No. of replies: 5 [N.B. includes 4 from 1 neighbour]

No. of objections: 5

Objections received on the following grounds.

Residential amenity:

- loss of light to 113 Eaton Square and 112 Eccleston Mews;
- overlooking of 112 Eccleston Mews, the originally proposed screen was insufficient to prevent overlooking but the revisions to increase its height are welcomed;
- light spill from enlarged lower ground floor window; and
- noise disturbance from the use of the proposed roof terrace (the submitted noise report does not address this) and from plant.

Design:

- a brick wall should enclose the roof terrace rather than the proposed trellis (this alternate design would better mitigate noise disturbance and overlooking).

Basement:

the construction of the basement could damage adjoining properties;

- the applicant did not consult neighbours prior to submission as is advised is best practice in Westminster's planning documents;
- the applicant's supporting information regarding the basement contains inaccurate information; and
- the proposed underpinning arrangements are undesirable and could impact on party walls.

Other:

if allowed, the proposals would set a precedent that would be damaging to the long term amenity of residents.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Located on the north side of the square No.112 is a Grade II star listed, first-rate, midterraced, early nineteenth century single family dwelling located within the Belgravia Conservation Area. Three bays wide the property comprises lower ground, ground and four upper storeys which terminates within a mansard.

6.2 Recent Relevant History

On 8 April 2013 listed building consent was granted for 'Reinstatement of vault roof and resurfacing of footway outside No. 112 Eaton Square'.

On 2 July 2002 planning permission and listed building consent was granted for 'Replacement of rear extensions, new decking and rooflight to rear, alterations to fenestration and to roof and installation of air conditioning plant (amendments to scheme granted 30 April 2002)'

On 30 April 2002 planning permission and listed building consent was granted for 'Internal alterations, replacement of rear extensions from lower ground floor to fourth floor level, erection of replacement conservatory at rear first floor level, installation of decking and rooflight to rear and alterations to roof.'

On 4 April 2002 planning permission and listed building consent was granted for 'Demolition of rear extensions and new internal and external alterations including rear extension on ground to fourth floors, rear glazed conservatory on ground to 1st floor and roof alterations including plant enclosure.'

On 5 August 1999 planning permission and listed building consent was granted for 'Internal and external alterations including new basement swimming pool with terrace over, demolition of rear extension and new rear extension on ground to fourth floors and roof alterations including plant enclosure'.

7. THE PROPOSAL

Permission and listed building consent is sought for demolition of rear extensions and erection of a new extension at the lower ground to the fourth floor levels, create a roof terrace at rear ground floor level, excavate a new basement level to the rear of the main dwelling, replace the windows, refurbish the front pavement vaults and associated internal and external works.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The application property is a single residential unit; the additional residential floorspace that would be provided would enlarge this existing unit. In these circumstances the application does not raise any land use issues.

8.2 Townscape and Design

The building exhibits a brick frontage with stucco at ground floor level and four pilasters which extend up the facade from first floor level. It is typical of the planned townscape of Belgravia and makes a significant contribution to the area.

Very few alterations and additions have occurred to the property other than the lower ground rear wing, which is thought to date from the early twentieth century, as well as the glazed first floor sun room. During World War II, structural reinforcement works were also undertaken within the basement, apparent by the exposed steel beams.

Due to being unoccupied for a considerable number of years, the building's fabric has deteriorated. On visiting the property in early 2016 there were notable signs of water ingress throughout, including mould and damage to internal walls and ceilings. When visiting the property at the end of 2016 remedial works have been undertaken and deterioration appears to have been temporarily haltered.

Internally the building has sustained very few major interventions. As a result its historic plan form is largely intact and many interior features such as fire surrounds, floor boards, joinery and original circulation spaces remain and are of great importance to the buildings significance.

Internal Works

The proposals seek to mostly restore the building's plan form where is has been compromised, notably the removal of crudely erected partitions within the ground floor front room, and the removal of the unusual internal light-shaft at the centre of the building which extends from the second floor to roof level. Some modest partitioning is proposed within secondary spaces on the upper floors and repositioning of doors, however principal spaces are avoided allowing the historic plan form to be understood. Later twentieth century fire surrounds being removed and more suitable replacements installed, the details of which are recommended to be secured by condition.

The lower ground retains numerous original and historic features including a range, fitted cupboards a substantial kitchen dresser and the original wine store with shelving. As rare survivors these are proposed to be retained.

Original floor boards remain throughout the property, which are expected to be retained. The applicant has indicated that these floor boards are to be removed which, without justification, would not be acceptable. An amending condition is recommended to ensure these are not removed therefore, and the applicant is aware of this.

A tiled floor exists through the entrance lobby, which would appear to be a later Edwardian addition. Subject to establishing the provenance of the tiles and providing a suitable replacement, removal of the tiled floor is likely to be supported.

External Works

Remodelling the rear lower ground wing is not opposed, subject to the retention of the notable internal features, as already discussed. Lowering the roof of the rear lower ground floor wing and creating a terrace above would not be objectionable from a listed building and townscape prospective. The detailed design of the bridge link over the rear light-well is recommended to be secured by condition. On top of a rear lower ground floor wing, the roof terrace would be enclosure by a screen, subject to a condition securing its detailed design this is not opposed.

Whilst significant works are proposed to the rear, a separation between the principle house and mews property is still maintained.

It is evident that the terrace as a whole has sustained various forms of rear extension, some more sensitive than others. Proposals seek to remodel and extend the existing rear closet wing, which currently extends from lower ground to third floor level. The proposals seek a deeper, full height closet wing up to fourth floor level to house a lift and additional accommodation. Whilst a full height extension would be contrary to policy DES 5 of the UDP, as it would exceed the penultimate storey of the host building, full-height closet wings are clearly an established feature of this section of the terrace. From a listed building perspective the extension would project rearward beyond the secondary staircase preserving the building's historic circulation routes, plan form and notable interior features. As such the closet wing extension is not opposed subject to securing details of the brick work and joinery details by condition.

The reinstatement of the second floor six over six sash windows would be a welcome enhancement. It is also proposed to replace the ground floor windows and reinstate a more traditional fenestration patter akin to those which exist at nos. 104-110. Subject to joinery details, which are secure by condition the replacement windows are not opposed. Proposals also seek to install secondary glazing. Whilst not opposed in principle, the details of the units are to be secured by condition.

Air conditioning units are to be sited at roof level, towards the rear of the property, in the location of the former water tanks. Whilst the location of the units is not opposed, details of the enclosure are to be secured by condition.

Basement

Excavated directly below the closet wing and lower ground rear wing, the single-storey basement would avoid encroaching beneath the main foot print of the building. Other

than a new staircase, which would continue directly beneath the existing staircase, the basement would have very little impact on the interior of the building. At the rear of the site a well-proportioned light-well is proposed. The basement works are therefore not opposed on design and listed building grounds.

Design Summary

Generally the proposals appear sensitive to the building's significance. Whilst more intrusive works are proposed to the upper floors, with the installation of partitioning and repositioning of doors, these alterations are in less sensitive areas and on balance would not harm the internal character of the building. The building is included on Historic England buildings at risk register, it is evident that the works proposed are largely sensitive to the buildings surviving interiors, and more extensive works are necessary to securing the buildings future and removal from the Heritage at Risk Register. The proposals comply with polices DES1; DES5; DES9; and DES10; of the UDP, S25 and S28 of the City Plan as well as guidance contained within the City Council's SPG: Repairs and Alterations to Listed Buildings.

8.3 Residential Amenity

There are a number of residential properties in close proximity to the application site. No. 113 Eaton Square to the east is a single family dwelling house, no. 111 Eaton Square to the west comprises residential flats and no. 112 Eccleston Mews to the rear is a single family dwelling house.

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development which enhances the residential environment of surrounding properties.

Sunlight and Daylight

Objections have been received from adjoining residential occupiers at no. 113 Eaton Square and no. 112 Eccelston Mews on the grounds that the rear extension would result in loss of light.

The applicant has carried out an assessment on nos. 113 and 111 Eaton Square and no. 112 Eccelston Mews based on the various numerical tests laid down in the Building Research Establishment (BRE) guide "Site Layout Planning for Daylight and Sunlight: a guide to good practice". The BRE guide stresses that the numerical values are not intended to be prescriptive in every case and are intended to be interpreted flexibly depending on the circumstances since natural lighting is only one of many factors in site layout design. For example, in a dense urban environment, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings. The BRE guide principally seeks to protect light to principal habitable rooms including living rooms, kitchen/dining rooms and, to a lesser extent, bedrooms.

Daylight

The principal BRE methodology for the assessment of daylight values is 'vertical sky component' (VSC). This measures the amount of light reaching the outside face of a window. Under this method, a window achieving a VSC value of 27% is considered to be well lit. If, as a result of the development, light received to an affected window is below 27%, and would be reduced by 20% or more, the loss would be noticeable.

No windows at no.111 Eaton Square or no.112 Eccelston Mews would experience losses in excess of the BRE guide's criteria. There would be several breaches at no. 113 Eaton Square however. The ground floor of no. 113 Eaton Square benefits from a conservatory; its roof comprises 14 window planes and 4 of these would experience losses in excess of BRE guidelines. But, given a large proportion of the conservatory roof would continue to receive good levels of daylight, and given that it has glazed elevations, overall the room would remain well-lit. At first floor the rear window of a dual aspect sitting room would experience a loss in VSC of 35%. Given the room also benefits from light from windows to the front, it is not considered reasonable to refuse permission on this basis. At second floor a bathroom would experience a loss in VSC of 34%, but the loss of light to non-habitable rooms such as bathrooms is accepted by the BRE guide. At third floor a single bed bedroom would experience a loss in VSC of 30%, this may be noticeable and would breach the BRE guidelines but is considered acceptable give the room is small bedroom and not a principle living area.

Sunlight

In respect of sunlight, the BRE guide suggests that if a living room has a main window facing within 90 degrees of due south then the sunlighting of the existing dwelling may be adversely affected if it receives less than 25% of annual probable sunlight hours (APSH) or less than 5% of APSH between September and March, and receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight received over the whole year greater than 4% of APSH.

Neither no.111 Eaton Square nor no.112 Eccelston Mews would experience losses in excess of the BRE guide's criteria. There would be breaches to the sunlight levels received to several planes of the conservatory roof at no.113 Eaton Square. However, the majority of the roof planes would receive levels in accordance with the BRE guide and overall the room will remain well lit.

Daylight and Sunlight Summary

Although there are losses in excess of those prescribed in the BRE guide at no.113 Eaton Square, the proposed levels are still considered to be acceptable given the use of those rooms affected, the layout of those rooms and the site location within a dense urban environment. Furthermore, the proposed closet wing extension would be of a scale that matches the existing extensions either side including the affected property. In these circumstances, the proposals are considered acceptable in terms of light.

Sense of Enclosure

The outlook from rooms to the rear of the main building at no.113 Eaton Square would be framed by the existing closet wing at no.113 Eaton Square on one side and the proposed rear extension at the application property on the other. Whilst the flank of the existing closet wing at no.113 Eaton Square is visible from these rooms currently, it is not considered overbearing and a reasonable outlook can still be enjoyed. The proposed extension would match this existing closet wing in terms of depth and height. The impact of this would be to restrict outlook further. However, the degree of this restriction would match that created by the affected properties own closet wing, and this relationship between properties is found in numerous locations on this terrace and within the wider area and is so to be expected in this context. As such, the proposal is considered acceptable in terms of sense of enclosure.

With regards to the sense of enclosure for those living at no. 112 Eccelston Mews, the closet wing extension and roof terrace screening would be sufficiently distant from the windows there so as to avoid an unacceptable increase in a sense of enclosure. Given the orientation and position of windows at no. 111 Eaton Square, the proposals would not worsen a sense of enclosure for those living there.

Privacy

Objections have been received from an adjoining residential occupier at no. 112 Eccelston Mews on the grounds that the roof terrace at ground level would result in a loss of privacy.

The applicant has revised the screening for the roof terrace so it is higher and that it encloses all of the roof terrace area which was requested by the objector. The terrace is considered to be sufficiently screened to prevent an unacceptable level of overlooking. The details of the screen are recommended to be secured by condition.

The proposed closet wing extension contains windows which look at those to the rear and would provide new opportunities to overlook neighbours to the rear of the site. However, it is not considered that this would result in a significant loss of privacy given there are already numerous rear windows and given the relative distance between these windows and those to the rear.

Light Spill

Objections have been received from an adjoining residential occupier at no. 112 Eccelston Mews on the grounds that the enlarged lower ground floor window (on the boundary) would increase light spill.

The existing window is in an un-neighbourly position as it is within the boundary wall. Whilst it is high level (and so has no privacy implications), officers agree that its enlargement would increase light spill and could be harmful. The application has been amended so that the window is the same size as the existing.

Noise (from roof terrace)

Objections have been received from an adjoining residential occupier at no. 112 Eccelston Mews on the grounds that the roof terrace at ground level would result in an increased noise disturbance generated from social activity that could occur on it.

Given the relatively small size of the terrace, and that amenity spaces in similar positions are commonplace throughout the city, it is not considered reasonable that the noise created by such a residential terrace could be sufficiently detrimental so as to justify refusing permission.

8.4 Transportation/Parking

The proposed extensions would provide additional floorspace to an existing residential unit and therefore there would be no increase in the number of households. As such it is not considered that the proposals would have a detrimental impact on the local highway network or availability of on-street parking.

8.5 Economic Considerations

Given the scale of the development there are no material economic considerations.

8.6 Access

The proposal does not alter access arrangements.

8.7 Other UDP/Westminster Policy Considerations

Basement

Objections have been received from adjoining residential occupiers on the grounds the construction of the basement could damage adjoining properties; the applicant did not consult neighbours prior to submission; the applicant's supporting information regarding the basement contains inaccurate information; and the proposed underpinning arrangements are undesirable and could impact on party walls.

The applicant has sought to address the concerns relating to basement construction and party wall matters, this comprises an amended Basement Impact Assessment and an addendum document which addresses the points made. The proposals are considered to be in accordance with policy CM28.1 of the City Plan (adopted July 2016) as follows:

Part A. 1-6

Studies have been undertaken which advise that subterranean development in a dense urban environment is often a challenging engineering endeavour and that in particular it carries a potential risk of damage to both the existing and neighbouring structures and infrastructure if the subterranean development is ill-planned, poorly constructed and does not properly consider geology and hydrology.

While the Building Regulations determine whether the detailed design of buildings and their foundations will allow the buildings to be constructed and used safely, the National Planning Policy Framework March 2012 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by land instability.

The NPPF goes on to state that in order to prevent unacceptable risks from land instability, planning decisions should ensure that new development is appropriate for its location. It advises that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The NPPF and Policy CM28.1.A of the City Plan seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability and any proposals for mitigation, and that adequate site investigation information, prepared by a competent person, is presented.

Officers consider that in the light of the above it would be justifiable to adopt a precautionary approach to these types of development where there is a potential to cause damage to adjoining structures. To address this, the applicant has provided a structural engineer's report explaining the likely methodology of excavation and subsequently provided further information in light of concerns raised by neighbours. Any report by a member of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

The purpose of such reports at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

The construction methodology statement provided as part of the application has been reviewed by City Council's Building Control Surveyors who have raised no concern. This statement is not recommended to be approved, nor will conditions be imposed requiring the works to be carried out in accordance with it. The purpose of the report is to show that there is no foreseeable impediment to the scheme satisfying the Building Regulations in due course. It is considered that this is as far as this matter can reasonably be taken as part of the consideration of the planning application. Detailed matters of engineering techniques, and whether these secure the structural integrity of the development and neighbouring buildings during the course of construction, are controlled through other statutory codes and regulations, cited above. To go further would be to act beyond the bounds of planning control.

In terms of construction impact, the applicant has provided a signed proforma Appendix A confirming that they agree to comply with the City Council's Code of Construction Practice (CoCP). A condition is recommended to ensure that the applicant complies with the COCP and that the construction works are monitored for compliance by the Environmental Inspectorate at the applicant's expense.

The site is not in an archaeological priority area and therefore part 6 does of the policy does not apply.

Part B:

1 & 2) The basement would be retained underneath the footprint of the existing building and would not result in harm to trees.

Part B. 3:

The application has been submitted with information regarding the mechanical and electrical services proposed, and an acoustic report for the proposed roof level plant, and these are considered acceptable.

Part B. 4 & 7:

The basement has would be set under the existing building (rather than undeveloped garden land) and would have no implications on drainage.

Part B. 5 & 6:

The proposals are considered to be discreet and will not negatively impact on the listed building or conservation area (see also Section 8.2 of this report).

Part C. 1:

There is no undeveloped garden land, and the site is small in terms of this policy. The basement which would be underneath the lower ground floor rear wing would met the requirements of this part of the policy.

Part C. 2:

The basement does not extend under a garden therefore this part of the policy does not apply in this case.

Part C. 3:

Only a single basement is proposed which is considered acceptable and in accordance with this part of the policy.

Part D:

The basement does not extend under the highway, therefore this part of the policy does not apply in this case.

Plant equipment

Objections have been received from adjoining residential occupiers on the grounds the plant equipment could harm neighbouring occupiers.

The applicant has submitted a noise survey as part of the application. Plant equipment is proposed at roof level, the noise report indicates that the equipment assessed would likely to be inaudible at the nearest residential premise, however, not all equipment and mitigation have been confirmed. Therefore, Environmental Health has recommended a supplementary acoustic report is submitted to and approved by the City Council, in addition to and standard City Council noise conditions and conditions to ensure that the mitigation measures are implemented. Subject to these conditions it is considered the proposals will not result in a loss of residential amenity.

8.8 London Plan

This application raises no strategic issues.

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8.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

Planning obligations are not relevant in the determination of this application.

The applicant has indicated they wish to claim a self-build extension exemption from CIL.

8.11 Environmental Impact Assessment

The application is of insufficient scale to trigger the requirement of an EIA.

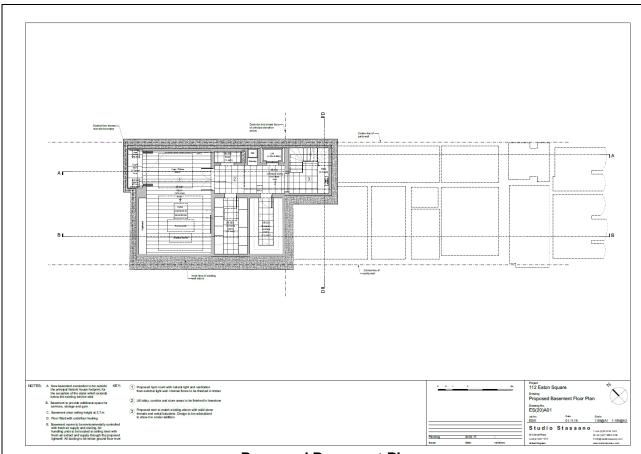
9. BACKGROUND PAPERS

- 1. Application form
- 2. Response from Historic England, dated 30 May 2017
- 3. Response from Highways Planning Manager, dated 16 May 2017
- 4. Response from Environmental Health, dated 23 May 2017
- 5. Response from Building Control, dated 2 June 2017
- 6. Objection from occupier of 113 Eaton Square, dated 25 May 2017
- 7. Objections (x4) from occupier of 112 Eccleston Mews, dated 28 May 2017, 25 June 2017, 18 July 2017 and 30 July 2017
- 8. Email from Councillor Robathan, Ward Councillor, dated 30 July

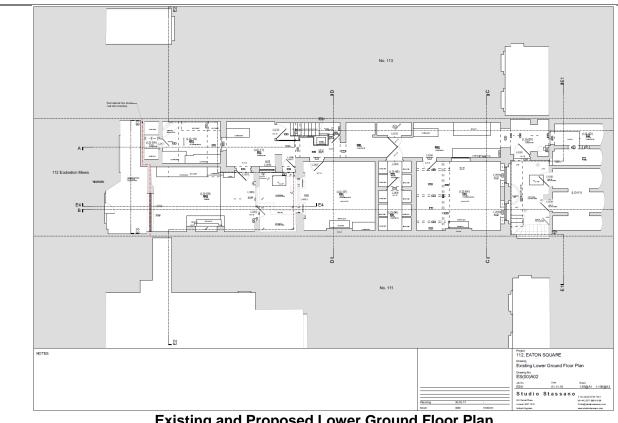
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

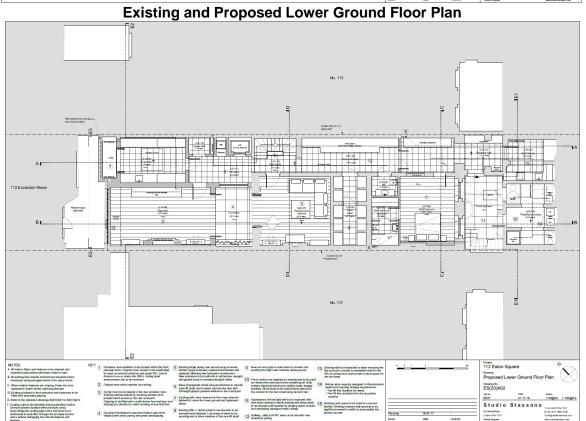
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: VINCENT NALLY BY EMAIL AT vnally@westminster.gov.uk

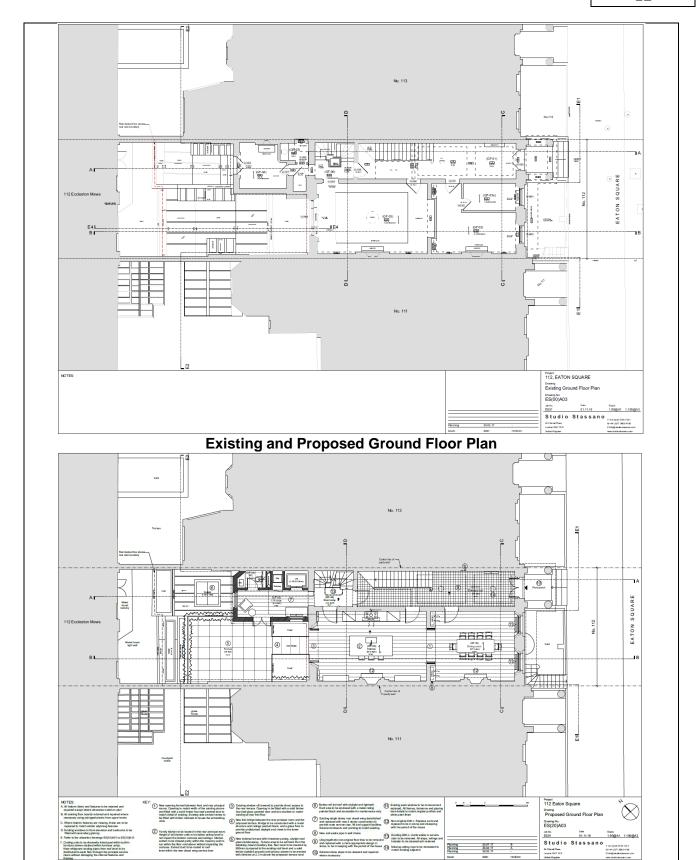
10. KEY DRAWINGS

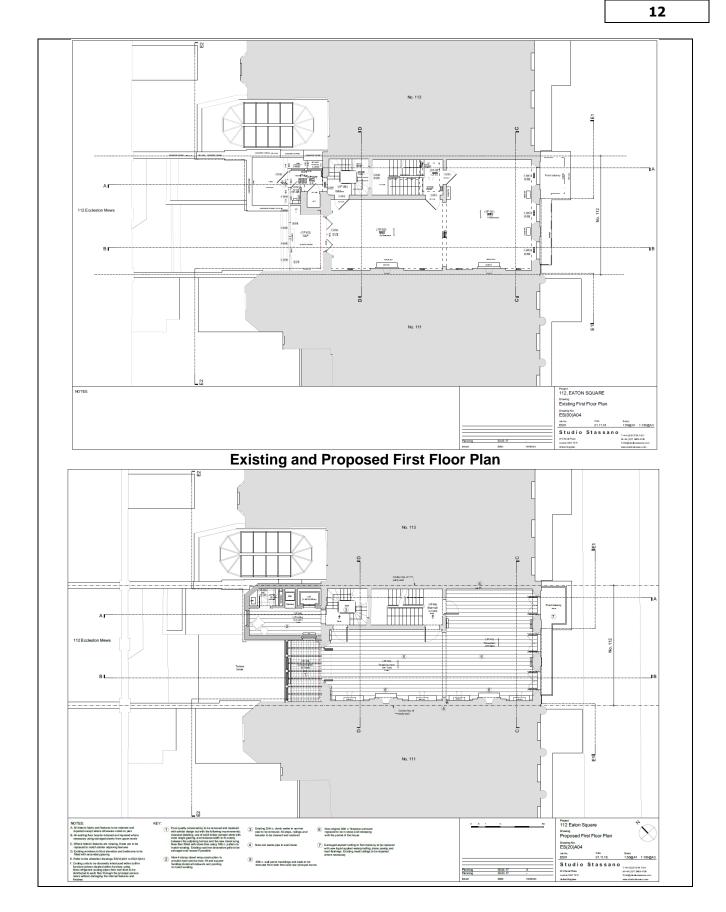


Proposed Basement Plan

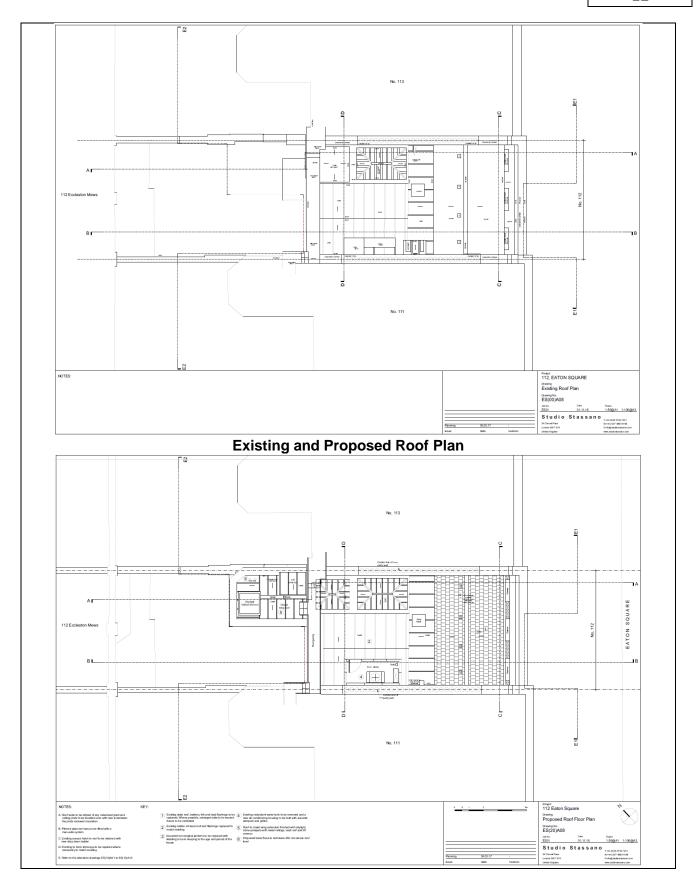


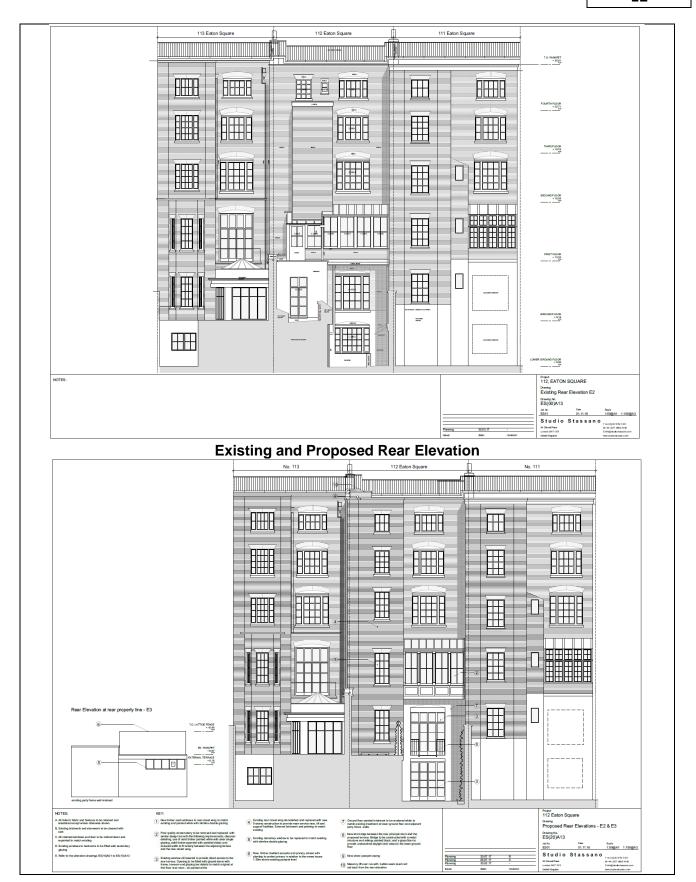


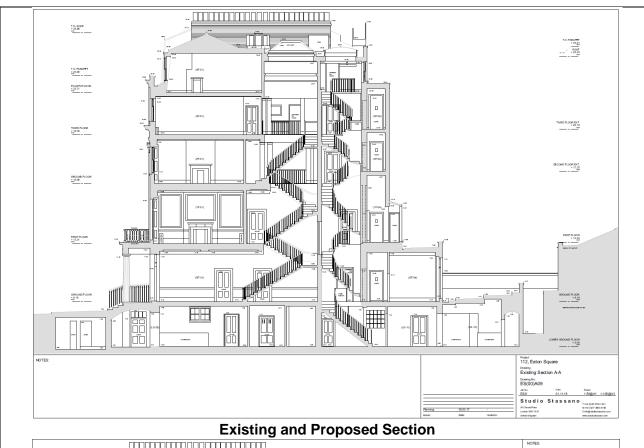


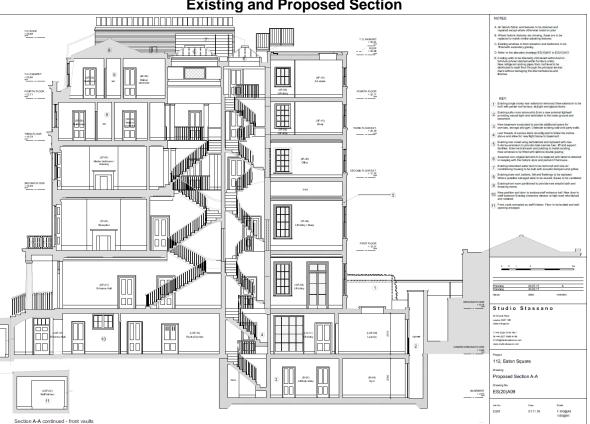


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DRAFT DECISION LETTER

Address: 112 Eaton Square, London, SW1W 9AE,

Proposal: Demolition of rear extensions and erection of a new extension at the lower ground to

the fourth floor levels, excavation of a basement to the rear of the main dwelling, replacement windows, and refurbishment of the front pavement vaults, and associated alterations in connection with the use of property as a single family

dwelling house. Linked to 17/03792/LBC

Plan Nos: Location Plan; Site Plan; ES(00)A00; ES(00)A01; ES(00)A02; ES(00)A03;

ES(00)A04; ES(00)A05; ES(00)A06 rev A; ES(00)A07; ES(00)A08; ES(00)A09;

ES(00)A10; ES(00)A11; ES(00)A12; ES(00)A13; ES(00)A14; ES(10)A01; ES(10)A02 rev A; ES(10)A03 rev B; ES(10)A04 rev A; ES(10)A05; ES(10)A06;

ES(10)A07; ES(10)A08; ES(10)A09 rev A; ES(10)A10 rev A; ES(10)A11;

ES(10)A12; ES(10)A13 rev A; ES(11)A01; ES(11)A02; ES(11)A03; ES(11)A04; ES(11)A05; ES(11)A06; ES(11)A07; ES(20)A01; ES(20)A02 rev A; ES(20)A03 rev

B; ES(20)A04 rev A; ES(20)A05 rev A; ES(20)A06; ES(20)A07 rev A; ES(20)A08; ES(20)A09 rev A; ES(20)A10 rev B; ES(20)A11; ES(20)A12; ES(20)A13 rev B; ES(50)A01; ES(50)A02; ES(50)A03; ES(50)A04; ES(50)A05; ES(50)A06;

ES(50)A01; ES(50)A02; ES(50)A03; ES(50)A04; ES(50)A05; ES(50)A06; ES(50)A07: Cover Letter (Montagu Evans): Planning and Heritage Statement

(Montagu Evans); Design and Access Statement (Studio Stassano); Area Schedule;

Scope of Work Mechanical and Electrical Services (judd consulting (uk) ltd); Environmental Investigations Limited (Hutton + Rostron); Daylight and Sunlight

Report and Letter dated 21 July 2017 (malcolm hollis).

For information only:

Basement Impact Assessment, June 2017, and Addendum (Site Analytical Services Ltd.); Damage Category Assessment (Site Analytical Services Ltd.); Structural Calculations (rodrigues associates); Structural Methodology Statement (rodrigues associates); Structural Drawings (rodrigues associates).

associates), Structural Drawings (roungues associates).

Case Officer: Joshua Howitt Direct Tel. No. 020 7641 2069

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
 - o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and

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o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- You must apply to us for approval of further information as set out below of the following part of the development:
 - (a) detailed design of roof terrace screen and planter;
 - (b) detailed design of bridge link at ground floor level;
 - (c) detailed design plant enclosure and location of air conditioning units at roof level; and
 - (d) detailed drawings (sections and elevations) of all new external windows and doors, scaled 1:10.

All details submitted must be shown in context with the surrounding fabric, and must be consistent with the approved plans. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:
 - the replacement high level window to the lower ground floor rear wing shall to revised to be no larger than the existing.

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

You must not use the roof of the extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

8 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it:
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

9 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

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As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

10 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 8 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels.

11 You must put up the plant screen shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

Informative(s):

In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan

(November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 4 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- Conditions 8, 9, 10 and 11 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate

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institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.

You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

DRAFT DECISION LETTER

Address: 112 Eaton Square, London, SW1W 9AE,

Proposal: Demolition of rear extensions and erection of a new extension at the lower ground to

the fourth floor levels, excavation of a basement to the rear of the main dwelling, replacement windows, and refurbishment of the front pavement vaults, and

associated internal and external alterations in connection with the use of property as

a single family dwelling house. Linked to 17/03791/FULL

Plan Nos: Location Plan; Site Plan; ES(00)A00; ES(00)A01; ES(00)A02; ES(00)A03;

ES(00)A04; ES(00)A05; ES(00)A06 rev A; ES(00)A07; ES(00)A08; ES(00)A09; ES(00)A10; ES(00)A11; ES(00)A12; ES(00)A13; ES(00)A14; ES(10)A01; ES(10)A02 rev A; ES(10)A03 rev B; ES(10)A04 rev A; ES(10)A05; ES(10)A06;

ES(10)A07; ES(10)A08; ES(10)A09 rev A; ES(10)A10 rev A; ES(10)A11;

ES(10)A12; ES(10)A13 rev A; ES(11)A01; ES(11)A02; ES(11)A03; ES(11)A04; ES(11)A05; ES(11)A06; ES(11)A07; ES(20)A01; ES(20)A02 rev A; ES(20)A03 rev B; ES(20)A04 rev A; ES(20)A05 rev A; ES(20)A06; ES(20)A07 rev A; ES(20)A08; ES(20)A09 rev A; ES(20)A10 rev B; ES(20)A11; ES(20)A12; ES(20)A13 rev B;

ES(50)A01; ES(50)A02; ES(50)A03; ES(50)A04; ES(50)A05; ES(50)A06; ES(50)A07; Cover Letter (Montagu Evans); Planning and Heritage Statement (Montagu Evans); Design and Access Statement (Studio Stassano); Area Schedule;

Scope of Work Mechanical and Electrical Services (judd consulting (uk) ltd);

Environmental Investigations Limited (Hutton + Rostron).

Case Officer: Joshua Howitt Direct Tel. No. 020 7641 2069

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

The works hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.

(R27AC)

All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- You must apply to us for approval of further information as set out below of the following parts of the development
 - (a) detailed design of roof terrace screen and planter;
 - (b) detailed design of bridge link at ground floor level;
 - (c) detailed design plant enclosure and location of air conditioning units at roof level;
 - (d) detailed drawings (sections and elevations) of all new external windows and doors, scaled 1:10:
 - (e) detailed drawings (section and elevations) of all new secondary glazing units, scaled 1:10;
 - (f) details of replacement fire places; and
 - (g) details of new flooring in entrance lobby.

All details submitted must be shown in context with the surrounding fabric, and must be consistent with the approved plans. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area.

12

This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme
 - the replacement high level window to the lower ground floor rear wing shall to revised to be no larger than the existing.

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

7 Notwithstanding what is shown in the approved drawings and documents, the removal of the original floor boards is not approved.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.3 - 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

Informative(s):

SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building.

In reaching this decision the following were of particular relevance: S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3 - 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

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| 40 | | |

- You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
 - * any extra work which is necessary after further assessments of the building's condition;
 - * stripping out or structural investigations; and
 - * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)